

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-19 are currently pending in this application. In the Office Action, the Examiner rejected Claims 1-19 under 35 U.S.C. §102(a) as being anticipated by U.S. Publication No. 2003/0054807 to *Hsu et al.* (hereinafter, *Hsu*).

Regarding the rejection of independent Claim 1 under 35 U.S.C. §102(a), the Examiner contends that *Hsu* teaches or suggests each and every element of the claim. Independent Claim 1 recites a method for receiving by a mobile station a broadcast service from a base station. The broadcast service transmits in the same time period data on a packet data channel and a packet data control channel corresponding to the packet data channel.

Hsu describes an apparatus and method for facilitating effectuation of a multicast and a broadcast communication service. Multicast and broadcast communication services that are provided pursuant to operation of the communication system utilize a forward shared packet data channel together with a forward supplemental channel. Mobile stations are registered with a base station for broadcast/multicast service. Data forming the broadcast is transmitted to the mobile stations.

The claims have been amended in order to further distinguish the claims over the cited references. More specifically, independent Claim 1 has been amended to more clearly set forth that packet data for a broadcast service is received over a single forward packet data channel from a base station at the same time as packet data for a packet data service over the single forward packet data channel.

Hsu discloses multicast and broadcast communication services, but also describes that these services utilize a forward shared packet data channel together with a forward supplemental channel. The multicast and broadcast service is effectuated upon two or more transport channels.

Thus, *Hsu* fails to disclose the reception of packet data for a broadcast service and a packet service on only a single forward packet data channel, as recited in independent Claim 1.

Accordingly, since *Hsu* fails to teach or suggest the limitations of amended Claim 1, the Examiner's rejection of Claim 1 under §102(a), in light of the amendments, should be withdrawn.

The Examiner also rejected independent Claim 12 under 35 U.S.C. §102(a) contending that Claim 12 contained similar recitations as those set forth in Claim 1. Claim 12 has been amended in a manner similar to that of Claim 1. Thus, in view of the above, Claim 12 is also patentable over *Hsu*.

While not conceding the patentability of dependent Claims 2-11 and 13-19, *per se*, Claims 2-11 and 13-19 are patentable at least by virtue of their dependency from independent Claims 1 and 12. Accordingly, Applicants respectfully request withdrawal of the §102(a) rejection of Claims 1-19.

Therefore, in view of the preceding amendments and remarks, it is respectfully submitted that all of the claims pending in the Application, namely, Claims 1-19 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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